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John F. Sturm
Senior Vice President
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

April 19, 1993

The Honorable Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Re: CC Docket No. 93-22; FCC 93-87

Dear Ms. Searcy:

The Newspaper Association of America (NAA) respectfully submits these comments in response to the FCC's Notice of Proposed Rulemaking and Notice of Inquiry (NPRM/NOI) (58 Fed. Reg. 14371, March 17, 1993) concerning Interstate Pay-Per-Call Services. The Newspaper Association of America represents nearly 1,500 newspapers in the United States that account for more than 90 percent of the country's daily newspaper circulation.

Electronic information is a natural adjunct to a newspaper's printed products. Voice services burst onto the media landscape in the late 1980's and early 1990's.

Approximately 400-600 newspapers offer audiotext services, from sports scores, news briefs, weather lines, stock quotes and other financial news, to crossword puzzle hints and horoscope updates. A number of these services are advertiser-supported. But most newspapers also offer these types of services through 900 number programs in partnership with media syndicates.

In addition to offering pay-per-call services, newspaper companies and other media properties may act as service bureaus to provide pay-per-call services for newspapers and other information providers.

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Newspaper Association of America

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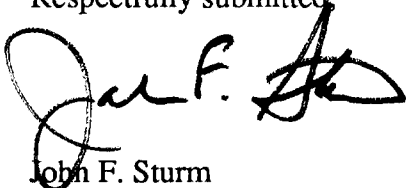
Newspapers support the setting of reasonable ground-rules for the pay-per-call industry. Regulations are necessary to weed out the fraudulent and abusive firms in the industry. Overall, NAA believes the Commission is headed in the right direction with its proposed rules, with one exception.

The NAA would like to express its concern with proposed § 64.1509 relating to Disclosure and Dissemination of Pay-Per-Call Information. Specifically, § 64.1509 (a) (2) would require any common carrier to "make readily available, at no charge, to Federal and State agencies and all other interested persons" a short description of each service to which it assigns a telephone number for a pay-per-call service. NAA is concerned that a common carrier could use the descriptive information for internal marketing purposes and for the enhancement of its own services in competition with a newspaper's service or that of any other service provider. NAA is also concerned that an "interested person" to which the list must be made available, may unjustly gain access to marketing information, providing the "interested person" with competitive information in a prejudiced manner.

As we have stated in numerous proceedings before this Commission, NAA remains
opposed to common carrier control over any of the content contained in an electronically-

In summary, NAA supports the Commission as it struggles to recognize the legitimate business interests of the pay-per-call industry, while reigning some controls over those entities that employ fraudulent and abusive tactics for monetary gain. NAA respectfully requests that final regulations take into account the privacy and marketing interests of newspapers and other independent pay-per-call service providers if common carriers are required to make available a description of their 900 number programs.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John F. Sturm". The signature is stylized with a large, looping initial "J" and a prominent "S" at the end.

John F. Sturm
Senior Vice President, Government, Legal and Public Policy

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